

R E M A R K S

In the Office Action dated April 12, 2010, claims 1, 8, 11 and 12 were rejected under 35 U.S.C. §103(a) as being unpatentable over Shiraishi in view of an article by Fratt, and further in view of Fichtner et al.

This rejection is respectfully traversed for the following reasons.

The Examiner maintained the previous interpretation of the Shiraishi reference as disclosing a computed tomography apparatus that has an “external device,” which the Examiner identified as the gantry apparatus in Shiraishi, that is connected to the control unit of the computed tomography apparatus. The Examiner further stated that the Shiraishi reference discloses a router that can be used to place the external device (gantry apparatus) in communication with a remote access interface for remote servicing thereof.

The Examiner did not respond to Applicant’s previous arguments concerning these alleged teachings of Shiraishi. As Applicant has previously argued, the Examiner has defined the gantry apparatus as being a mechanical component, and therefore there is no point to remotely connecting such a mechanical component, as an alleged “external device”) to a router or server for remote servicing thereof. Remote servicing of the gantry is not a feasible concept, which is another reason why, as Applicant has also previously argued, those of ordinary skill would not consider the gantry apparatus to be an “external device” with regard to the overall computed tomography apparatus.

This is not simply a matter of semantics, because the Examiner has proposed modifying the Shiraishi apparatus in accordance with the teachings of Fratt, which discloses the temporary connection of a power contrast agent injector to a computed

tomography apparatus. The Examiner has then further relied on the Fichtner reference as disclosing, in the context of a camera apparatus, remotely updating camera firmware via a host system.

In the Fichtner et al. reference, updating is undertaken by connecting the camera to a computer, but the Fichtner et al. reference does not relate to a medical system, and does not disclose a system having an “external device” as set forth in the claims. Applicant respectfully submits the Examiner has started by identifying a component (the gantry apparatus) in Shiraishi that a person of ordinary skill would not consider to be an external device, and has then proposed modifying the Shiraishi reference to include a contrast agent injector and has then transferred the alleged (and meaningless) “remote servicing” of the gantry apparatus to then also be applicable to the contrast agent injector, and has then proposed implementing such remote servicing using a system that does not even include an “external device.” This combination is pure speculation and has only been constructed after the Examiner has had the advantage of first reading Applicant’s disclosure. There is nothing whatsoever in the references themselves to suggest or motivate a person of ordinary skill designing computed tomography systems to arrive at such a combination.

Nevertheless, each of the independent claims has been amended to include the feature therein of isolating the power contrast agent injector from other components of the computed tomography apparatus that are not involved in the remote servicing of the power contrast agent injector. This feature was previously claimed in dependent claims 3 and 13-15, which were rejected based on the

aforementioned combination, further in view of Bonissone et al. This rejection is also traversed, for the following reasons.

The Bonissone et al. reference concerns a system for diagnosing and validating a machine via a network. For this purpose, data are sent from a number of systems 10-14, 10-16 and 10-18 to a service facility 10-22 via a network 10-80, as shown in figure 9 of the Bonissone et al. reference. The Examiner cited column 15, line 46 through column 16, line 9, discussing figure 12, as disclosing the features of previous claims 3 and 13-15. Applicant respectfully submits the Examiner has not noted that figure 12 shows the service facility (described at column 15, lines 40-41) located at the *remote site*, where a firewall 11-38 is also located for system security. Therefore, the Bonissone et al. reference clearly does not teach providing security protection in the serviced machine itself (i.e., the computed tomography apparatus in the claims of the present application), but instead clearly teaches using a firewall at the remote service site. Claim 1 requires that the control unit of the computed tomography apparatus be configured to isolate the power contrast agent injector, and this is clearly not a function that is or can be accomplished by a firewall at the remote site. Moreover, with regard to the method claims, which only require the step of "isolating the power contrast agent injector," the aforementioned firewall is not capable of any type of component-specific isolation, it is a general-purpose protection system and therefore either isolates all components, or no components, but is not capable of isolating one individual component from other components of the serviced machine.

Claims 4 and 5 were rejected under 35 U.S.C. §103(a) as being unpatentable over Shiraishi, Fratt, Fichtner et al., Bonissone et al., and further in view of a Dell

website. This rejection is respectfully traversed for the same reasons discussed above in connection with Claims 3 and 13-15. Even if the Shiraishi/Fratt/Fichtner et al./Bonissone et al. combination were further modified in accordance with the teachings obtained from the Dell website, the subject matter of Claims 4 and 5 still would not result.

Claims 6, 7, 9 and 10 were rejected under 35 U.S.C. §103(a) as being unpatentable over Shiraishi, Fratt and Fichtner et al., further in view of the Dell website. The above arguments apply to this rejection as well. For those reasons, even if the Shiraishi/Fratt/Fichtner et al. combination were further modified in accordance with the teachings obtained from the Dell website, the subject matter of Claims 6, 7, 9 and 10 still would not result.

All claims of the application are therefore submitted to be in condition for allowance, and early reconsideration of the application is respectfully requested.

The Commissioner is hereby authorized to charge any additional fees which may be required, or to credit any overpayment to account No. 501519.

Submitted by,


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